

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of		)
		)
	Ryuzo Iga et al.	)
		)
Serial No.:	10/577,626	) Art Unit
		) 2828
Filed:	April 28, 2006	)
		)
Confirmation No.:	9935	)
		)
For:	SEMICONDUCTOR OPTICAL DEVICE AND	)
	A METHOD OF FABRICATING THE SAME	)
		)
Examiner:	Patrick Stafford	)

TRANSMITTAL FOR SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Transmitted herewith for filing and pursuant to 37 C.F.R. § 1.97 is an Information Disclosure Statement, which includes the following statements, if any, required variously by 37 C.F.R. § 1.98:

- ☒ Statement of relevance of selected cited references not in the English language which are not translated.
- ☐ Statement that selected cited references are substantially cumulative of an enclosed or previously submitted reference.
- ☐ Statement that selected cited references were previously cited by or submitted to the United States Patent and Trademark Office in a prior application which is relied upon for an earlier filing date under 35 U.S.C. § 120.

A. Additional Materials Required Due to Content of Information Disclosure Statement

Transmitted are the following documents in addition to the Information Disclosure Statement as required variously under 37 C.F.R. § 1.98:

- ☒ Form PTO-1449 listing 2 references submitted for consideration.
- ☒ A copy of each of the foreign references listed on the Form PTO-1449 and a foreign office action from related case.
- ☐ English translations of ☐ ( ) of the references listed on the Form PTO-1449 which are not in the English language.
- ☐ Copies of the following documents from the prosecution of a previous, related application:
  - ☐ Form PTO-1449 AND INFORMATION DISCLOSURE STATEMENT; and
  - ☐ Form PTO-892

B. Additional Materials Required Due to Timing of Filing of Information Disclosure Statement

The transmitted Information Disclosure Statement is being filed within one (1) of the following four (4) time periods:

- I. ☐ Prior to the later of either three (3) months following the filing date or the mailing of a first Office Action. Accordingly, no materials other than those listed above are enclosed.
- II. ☒ Following the latter of either three (3) months following the filing date or the mailing of a first Office Action, but before the mailing of a final Office Action or a Notice of Allowance. Accordingly, to secure consideration thereof, one (1) of the following is also enclosed:
  - ☐ Promptness Certification; or
  - ☒ Credit card payment in the amount of \$180.00 constituting the submission fee set forth in 37 C.F.R. § 1.17(p).
- III. ☐ After the mailing of a Notice of Allowance, but before payment of the Issue Fee. Accordingly, in order to secure consideration thereof, each of the following are also enclosed:
  - ☐ Promptness Certificate;

- \_\_\_\_ Petition for Consideration; and
- \_\_\_\_ Check No. in the amount of \_\_\_\_ constituting the petition fee set forth in 37 C.F.R. § 1.17(i)(1).
- IV. \_\_\_\_ After payment of the Issue Fee. Accordingly, in order to secure consideration thereof, each of the following are also enclosed:
- \_\_\_\_ Petition to Withdraw from Issue; and
- \_\_\_\_ Check No. \_\_\_\_ in the amount of \_\_\_\_ constituting the petition fee set forth in 37 C.F.R. § 1.17(i)(1).

C. Fees

The Commissioner is hereby authorized to charge payment of any of the following fees that may be applicable to this communication, or credit any overpayment, to Deposit Account No. 23-3178: (1) any filing fees required under 37 CFR § 1.16; (2) any patent application and reexamination processing fees under 37 CFR § 1.17; and/or (3) any post issuance fees under 37 CFR § 1.20. In addition, if any additional extension of time is required, which has not otherwise been requested, please consider this a petition therefor and charge any additional fees that may be required to Deposit Account No. 23-3178.

Dated this 17th day of November 2008.

Respectfully submitted,

/Scott A. Woodbury/ Reg. #55743  
SCOTT A. WOODBURY

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